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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/339,818	06/25/1999	MARK E. DAVIS	038134-50010	3090

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FISH & NEAVE IP GROUP
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EXAMINER

CRANE, LAWRENCE E

ART UNIT	PAPER NUMBER
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1623

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental
Notice of Allowability

Application No.

09/339,818

Examiner

Michael P. Woodward

Applicant(s)

DAVIS ET AL.

Art Unit

1600

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☐ The allowed claim(s) is/are ____.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date ____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Page 53 delete the graph.

Page 57 delete the graph.

Page 58 delete the graph.

Page 59 delete the graph.

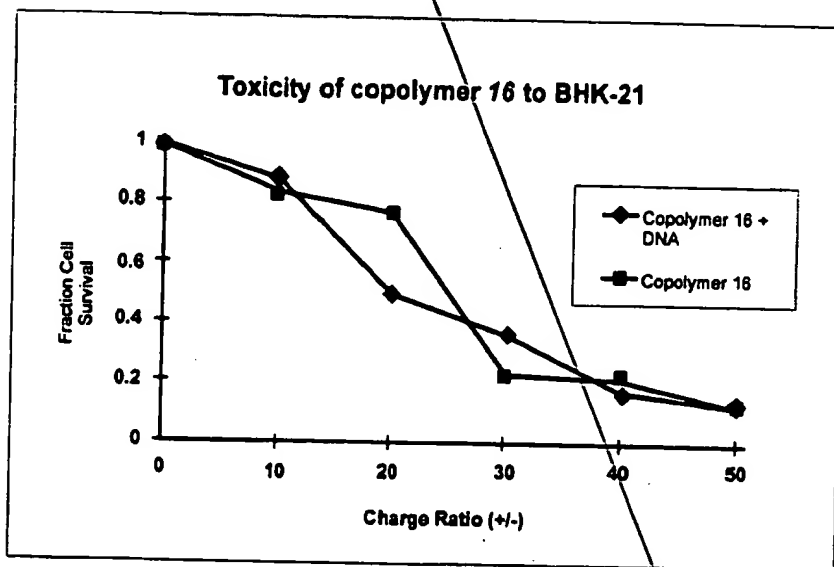
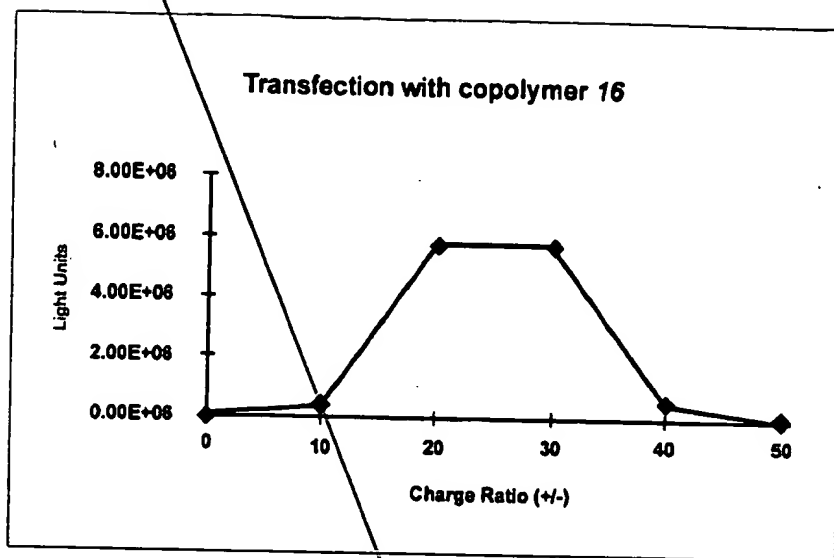
Page 60 delete the graph.

This amendment is necessitated to effect the changes requested by applicant's amendment of May 3, 2002.

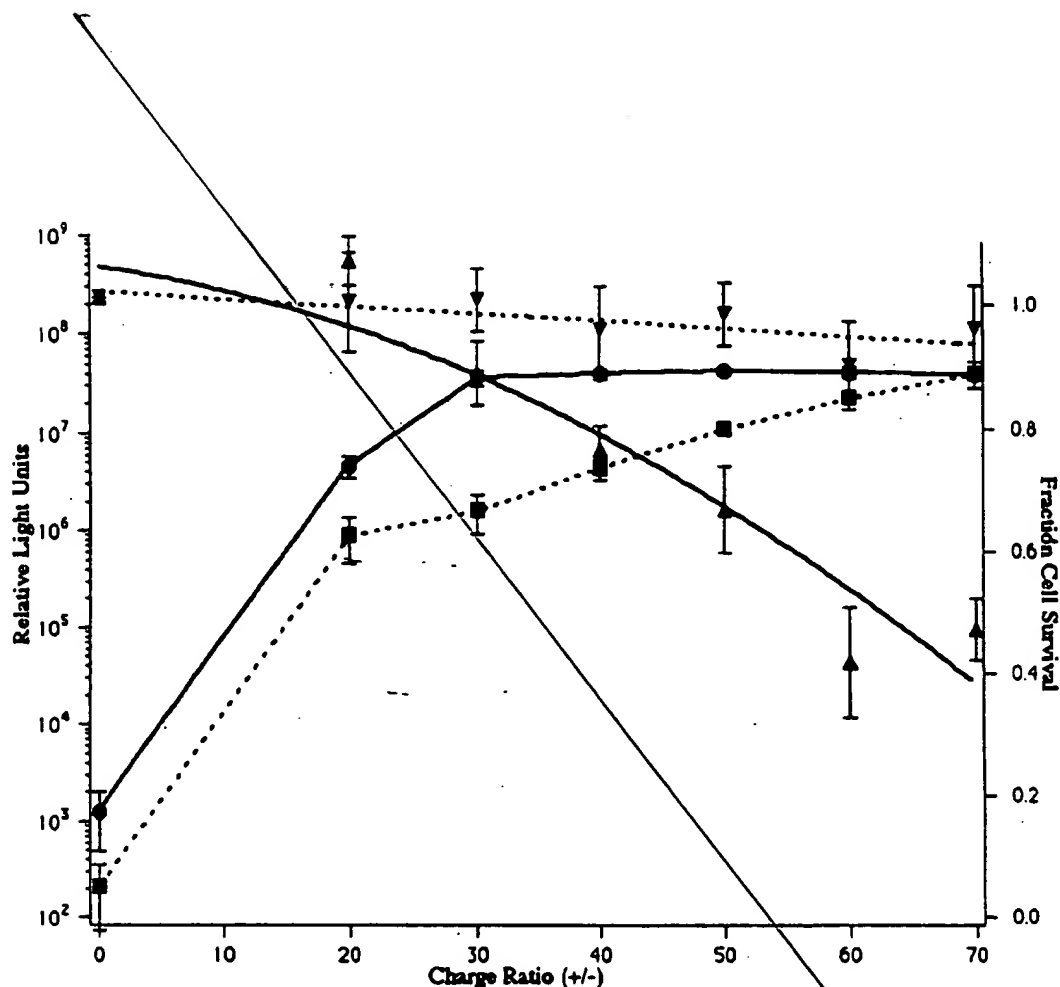
Any inquiry concerning this communication should be directed to Michael P. Woodward at telephone number 571-272-8373.



Michael P. Woodward
SPE
Art Unit 1615

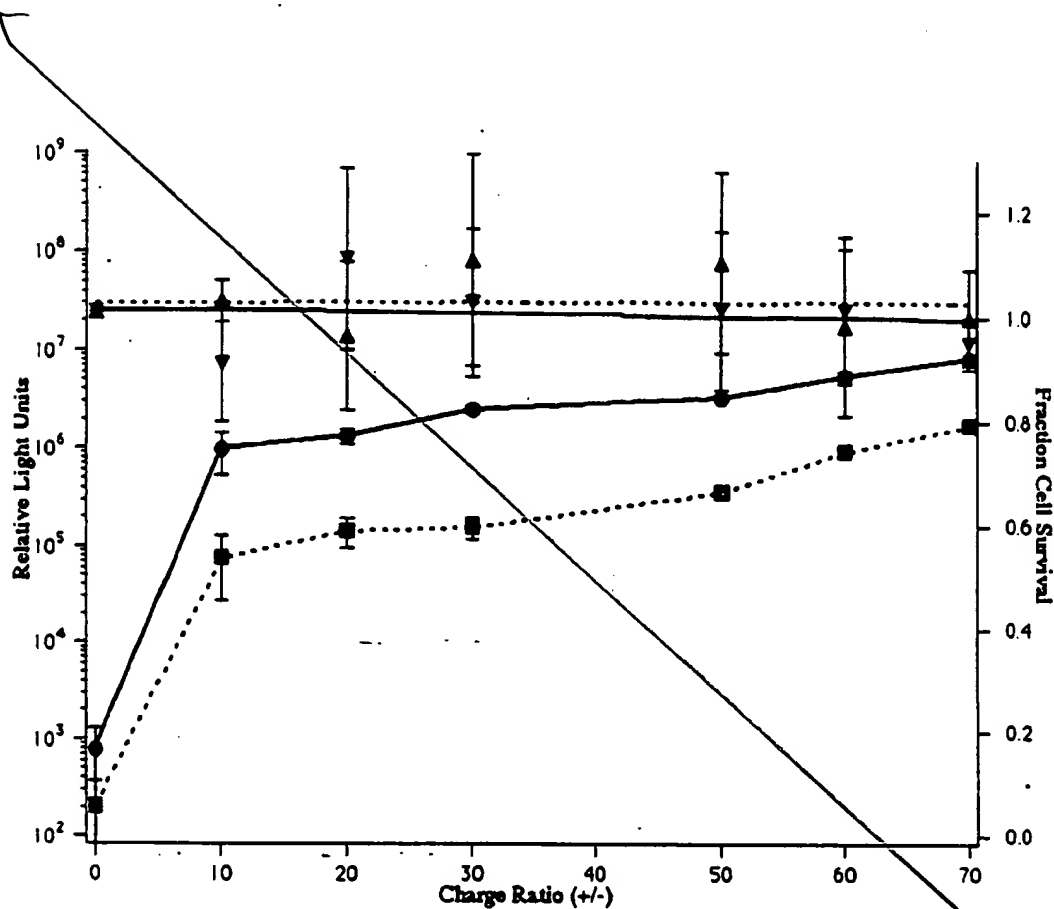


~~Transfection and Toxicity of Copolymer 16 to BHK-21~~



The effect of copolymer 16/DNA charge ratio and serum conditions on transfection efficiency (● and ■) and cell survival (▼ and ▲) in BHK-21 cells. Results from transfection in 10% serum and serum-free media are shown as, respectively, dotted and solid lines. Data are reported as the mean +/- S.D. of three samples. Toxicity data are presented as best fit lines.

~~Transfection and Toxicity of Copolymer 16 to CHO-K1~~

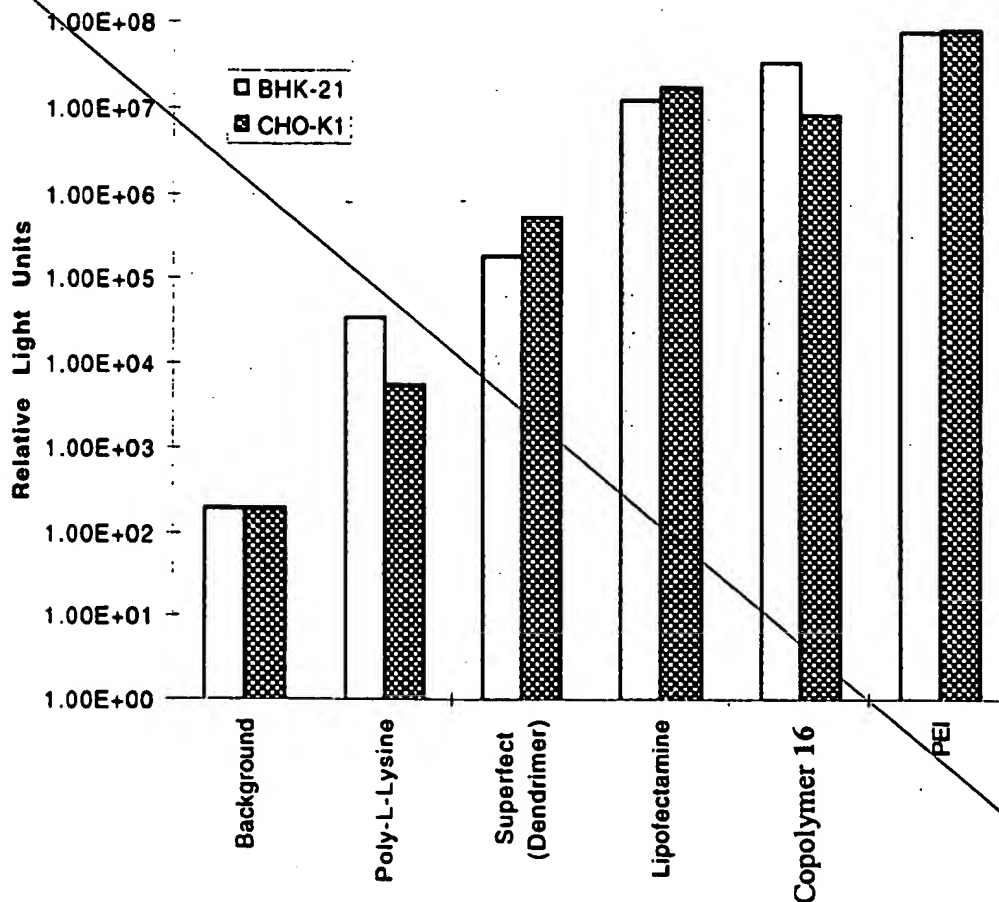


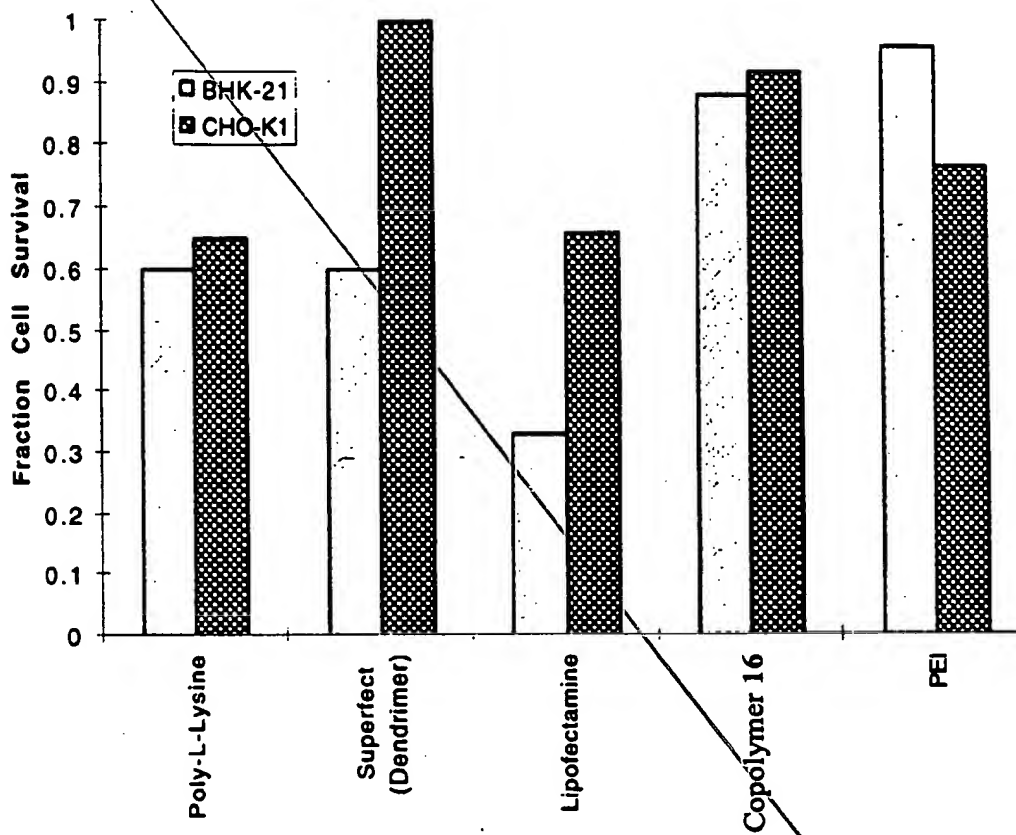
The effect of copolymer 16/DNA charge ratio and serum conditions on transfection efficiency (● and ■) and cell survival (▼ and ▲) in CHO-K1 cells. Results from transfection in 10% serum and serum-free media are shown as, respectively, dotted and solid lines. Data are reported as the mean +/- S.D. of three samples. Toxicity data are presented as best fit lines.

Comparative Example 1: Transfection Studies with Plasmids Encoding *Luciferase reporter* gene:

Subt
Fig 9

Following the procedure of Example 32, transfection efficiency and toxicity of various non-viral vectors with BHK-21 and CHO-K1 cells were studied and compared against those achieved with DNA/copolymer 16 complexes. The BHK-21 and CHO-K1 cells were transfected at a range of charge ratios and starting cell densities for all vectors in serum-free media. The results are illustrated below and illustrate the optimum transfection conditions found for each vector.





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